

PATENT  
2027.631000

## DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or the below named inventors are the original, first and joint inventors (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **Lactic Acid Producing Yeast**, the Specification of which:

- ☐ is attached hereto.  
☒ was filed on **November 20, 2003** as Application Serial No. **10/717,993**.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim priority benefits under Title 35, United States Code, § 119 and/or § 365 of any foreign application(s) for patent or inventor's certificate, PCT international application(s), and United States provisional application(s), listed below and have also identified below any foreign application for patent or inventor's certificate, PCT international application, or United States provisional application, having a filing date before that of the application on which priority is claimed:

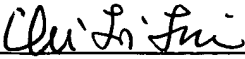
PRIORITY APPLICATION(S)			Priority Claimed
N/A			
(Number)	(Country)	(Date Filed)	Yes/No
(Number)	(Country)	(Date Filed)	Yes/No

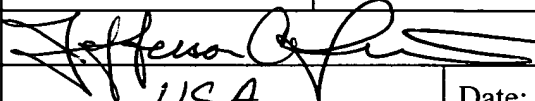
I hereby claim the benefit under Title 35, United States Code, § 120 and/or § 365 of any United States application(s) and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose all information known to me to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56, which becomes available between the filing date of the prior application and the national or PCT international filing date of this application:

N/A		
(Application Serial No.)	(Filing Date)	(Status)
(Application Serial No.)	(Filing Date)	(Status)

I hereby direct that all correspondence and telephone calls be addressed to Stephanie A. Wardwell, Williams, Morgan & Amerson, P.C., 10333 Richmond, Suite 1100, Houston, Texas 77042, (713) 934-7000.

I hereby declare that all statements made of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor's Full Name:	Chi	Li	Liu
Inventor's Signature:			
Country of Citizenship:	USA	Date: January 2, 2004	
Residence Address: (street, number, city, state, and/or country)	4643 Nicklaus Court Decatur, IL 62526		
Post Office Address: (if different from above)			

Inventor's Full Name:	Jefferson	C.	Lievense
Inventor's Signature:			
Country of Citizenship:	USA	Date: JAN. 5, 2004	
Residence Address: (street, number, city, state, and/or country)	916 STEVENS CREEK CIRCLE FORSYTH, IL 62535		
Post Office Address: (if different from above)			



## PATENT

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Chi Li Liu and Jefferson C. Lievense

Serial No.: 10/717,993

Filed: November 20, 2003

For: Lactic Acid Producing Yeast

Group Art Unit: Unknown

Examiner: Unknown

Attorney Docket: 2027.631000

### ELECTION UNDER 37 C.F.R. §§ 3.71 AND 3.73 AND POWER OF ATTORNEY

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

The undersigned, being Assignee of record of the entire interest in the above-identified application by virtue of an assignment recorded in the United States Patent and Trademark Office as set forth below, hereby elects, under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventors.

The Assignee hereby revokes any previous Powers of Attorney and appoints:

Danny L. Williams, Reg. No. 31,892; Terry D. Morgan, Reg. No. 31,181; J. Mike Amerson, Reg. No. 35,426; Kenneth D. Goodman, Reg. No. 30,460; Jeffrey A. Pyle, Reg. No. 34,904; Ruben S. Bains, Reg. No. 46,532; Scott F. Diring, Reg. No. 35,119; Shelley P.M. Fussey, Reg. No. 39,458; Mark D. Moore, Reg. No. 42,903; Raymund F. Eich, Reg. No. 42,508; Daren C. Davis, Reg. No. 38,425; and Stephanie A. Wardwell, Reg. No. 48,025;

each an attorney or agent of the firm of WILLIAMS, MORGAN & AMERSON, P.C., as its attorney or agent for so long as they remain with such firm, with full power of substitution and revocation, to prosecute the application, to make alterations and amendments therein, to transact all business in the Patent and Trademark Office in connection therewith, and to receive any Letters Patent, and for one year after issuance of such Letters Patent to file any request for a certificate of correction that may be deemed appropriate.

Pursuant to 37 C.F.R. § 3.73, the undersigned has reviewed the evidentiary documents, specifically the Assignment to A.E. STALEY MANUFACTURING CO., referenced below, and certifies that to the best of my knowledge and belief, title remains in the name of the Assignee.

Please direct all communications as follows:

Stephanie A. Wardwell, Ph.D.  
WILLIAMS, MORGAN & AMERSON, P.C.  
10333 Richmond Avenue, Suite 1100  
Houston, Texas 77042  
(713) 934-4077

ASSIGNEE:  
A.E. STALEY MANUFACTURING CO.

By: Michael F. Campbell  
Name: Michael F. Campbell  
Title: Assistant Secretary  
Date: 11/6/04

ASSIGNMENT:

- ☒ Concurrently filed  
☐ Previously recorded

Date: \_\_\_\_\_

Reel: \_\_\_\_\_

Frames: \_\_\_\_\_